

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
(ALEXANDRIA)**

IN RE:

ANTOINETTE JOSEPHINE PADMORE and  
WESLEY SPRINKLE :

Debtors.

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UDR NEWPORT VILLAGE LLC

Movant,

v.

ANTOINETTE JOSEPHINE PADMORE AND  
WESLEY SPRINKLE, DEBTORS,  
THOMAS P. GORMAN, TRUSTEE

Respondents.

Case No. 16-13446-BFK  
Chapter 13

**CONSENT ORDER FOR RELIEF FROM AUTOMATIC STAY**

Upon consideration of the Movant, UDR Newport Village LLC's Motion to modify the automatic stay; it is

ORDERED that the Debtors, Antoinette Josephine Padmore and Wesley Sprinkle may assume the unexpired lease upon the following terms and conditions:

1. Debtors shall pay Movant the rent due for December, 2016 totaling \$1,978.12 by December 17, 2016.

2. The Debtors shall make all rent payments for the months commencing on January 1, 2017 and continuing each month thereafter in a timely manner that is in accordance with the terms of the lease.

3. In addition, Debtors shall pay to the Movant the sum of \$484.24 as a "cure payment" on the fifteenth (15<sup>th</sup>) day of each month for a period of nine (9) months with the first payment to be paid on January 15, 2017 and each payment to be paid on the fifteenth (15<sup>th</sup>) day of each month thereafter.

The sum indicated represents one ninth of the total damages of \$4,358.18 incurred by the Movant as a result of the Debtors' default in the terms of the lease, as stipulated between the parties, including rent arrearage, late charges and collections costs.

4. In the event the Debtors fail to make the payment required pursuant to the paragraph

numbered 1 above, the Movant will be and is hereby granted relief from the stay without further or additional orders of this Court for the purpose of pursuing any remedies available under state law to recover possession of the subject premises located at 4753 West Braddock Rd., Apt. 201, Alexandria, Virginia 22311.

5. (A) In the event the Debtors fail to make current rent payments and concurrent “cure payments” as required pursuant to the paragraphs numbered 2 and 3 above within five (5) days of the dates specified for the making of those payments in either the lease instrument or this order, the Movant will be and is hereby granted relief from the stay without further or additional orders of this Court for the purpose of pursuing any remedies available under state law to recover possession of the subject premises.

(B) If the Debtors make payments which are less than the total of their plan payments and the “cure payment,” the Movant will be and is hereby granted relief from the stay without further or additional orders of this Court for the purpose of pursuing any remedies available under state law to recover possession of the subject premises.

6. The lease between the parties is hereby reinstated and the termination of the lease is hereby declared to be null and void.

7. Any debt owed by the Debtors to the Movant for monetary damages resulting from default in or rejection of the lease shall be determined solely by means of this order or a proof of claim in this bankruptcy proceeding. Unless otherwise modified by order of the bankruptcy court or terminated by operation of law, the stay shall remain in effect to preclude the adjudication or collection of any such debt outside of this bankruptcy proceeding.

DONE at Alexandria, Virginia, this \_\_\_\_ day of \_\_\_\_\_, 2016.

Dec 29 2016

/s/ Brian F. Kenney

Brian F. Kenney

United States Bankruptcy Judge


Entered on Docket: Jan 3 2017

I ASK FOR THIS

/s/ Mazin I. Elias, Esq.  
Mazin I. Elias, Esq. (V.S.B. No.: 72917)  
OFFIT |KURMAN, P.C.  
4800 Montgomery Lane, 9th Floor  
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*Counsel for Movant*

SEEN AND AGREED

/s/ Ashvin Pandurangi, Esq.  
(by Mazin I. Elias, Esq. with permission of Ashvin Pandurangi, Esq.)  
AP Law Group, PLC  
1518 Willow Lawn Dr. Suite 300  
Richmond, VA 23230  
Counsel for Chapter 13 Debtors

SEEN AND  SEEN!

Thomas P. Gorman  
300 N. Washington St. Ste. 400  
Alexandria, VA 22314  
*Chapter 13 Trustee*

Copy to:

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4753 West Braddock Rd, Apt 201  
Alexandria, VA 22311  
*Chapter 13 Debtor*

Wesley Sprinkle  
4753 West Braddock Rd, Apt 201  
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*Chapter 13 Joint Debtor*

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